

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

RUBSTELLO, INC., et al.,

Plaintiffs,

No. CIV S 04-2186 FCD/DAD

v.

TRANSPORTATION INSURANCE
COMPANY, et al.,

RELATED CASE ORDER

Defendants.

/

RUBSTELLO, INC., et al.,

Plaintiffs,

No. CIV S 05-0688 DFL/PAN

v.

TRANSPORTATION INSURANCE
COMPANY, et al.,

Defendants.

/

Examination of the above-entitled actions reveals that they are related within the meaning of Local Rule 83-123(a) (E.D. Cal. 1997). The actions involve the same parties and are based on the same or similar claims, the same property transaction or event, similar questions of fact and the same questions of law, and would therefore entail a substantial duplication of labor if heard by different judges. Accordingly, the assignment of the matters to the same judge is likely to effect a substantial savings of judicial effort and is also likely to be convenient for the parties.

The parties should be aware that relating the cases under Local Rule 83-123 merely has the result that these actions are assigned to the same judge; no consolidation of the actions is effected. Under the regular practice of this court, related cases are generally assigned to the judge and magistrate judge to whom the first filed action was assigned.

IT IS THEREFORE ORDERED that the action denominated, CIV S-05-0688 DFL/PAN is reassigned to Judge Frank C. Damrell, Jr. for all further proceedings, and any dates currently set in this reassigned case only are hereby VACATED. Henceforth, the caption on documents filed in the reassigned case shall be shown as, **CIV S-05-0688 FCD/DAD.**

IT IS FURTHER ORDERED that the Clerk of Court make appropriate adjustment in the assignment of civil cases to compensate for this reassignment.

IT IS SO ORDERED.

DATED: May 31, 2005

/s/ Frank C. Damrell Jr.
FRANK C. DAMRELL JR.
United States District Judge